IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 7237 of 2007(J)

PETITIONER:

M.S.SAJEEVAN,
M.S.HOUSE,(VANNARKANDIYIL),
P.O.VALAYAM, KOZHIKODE-673517.

BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT,SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR, KOZHIKODE.

3. THE DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.7237 OF 2007

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Dated this the 5th day of March, 2007

JUDGMENT

There is a disciplinary proceedings against the petitioner. Petitioner was however reinstated on the basis of the direction in Ext.P1. But he was actually reinstated in a School following the Muslim calender. Holidays are given in the month of September and October. Thus the petitioner would lose his right to vacation during summer vacation and the petitioner being compelled to work, it is his case. Petitioner however filed Ext. P3 application for transfer.

2. Heard Government Pleader also.

Leaving open the contentions of the petitioner in regard to Exts.P1 and P2, the writ petition is disposed of as follows:

There will be a direction to the additional fourth respondent to forward Ext.P3 to the second respondent through the additional fifth respondent. There will be a further direction to the second respondent to take a decision on Ext.P3 in accordance with law. As regards the question of disciplinary proceedings, there will be a direction to the

second respondent to complete the disciplinary proceedings against the petitioner as early as possible.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.